

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JITTAWEE CURLY BEAR CUB,

Defendant.

CR-18-83-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 2, 2021. (Doc. 68.) Jittawee Bear Cub (Bear Cub) filed an objection on September 16, 2021. (Doc. 69.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on August 31, 2021. (Doc. 64.) The United States accused Bear Cub of violating his conditions of supervised release by 1) using methamphetamine; 2) by failing to report to his probation officer as directed; and 3) by failing to report for substance abuse testing. (Doc. 61.) At the revocation hearing, Bear Cub admitted to violating the terms of his supervised release 1) using methamphetamine; 2) by failing to report to his

probation officer as directed; and 3) by failing to report for substance abuse testing. (Doc. 64.) Judge Johnston found the violation Bear Cub admitted is serious and warrants revocation of Bear Cub's supervised release. Judge Johnston recommended Bear Cub be incarcerated for 8 months, with a lifetime of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility and the next 180 days in a residential re-entry center, if he is eligible. (Doc. 68.) Bear Cub was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 64.)

Bear Cub now opposes Judge Johnston's Findings and Recommendations, objecting to the length of his sentence of imprisonment. (Doc. 69.)

The Court has reviewed Judge Johnston's Findings and Recommendations as well as Bear Cub's objection. The undersigned conducted a revocation hearing on September 20, 2021. (Doc. 71.) Bear Cub and his attorney were allowed to allocute before the undersigned. (*Id.*) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations.

Bear Cub's violation of his conditions of supervised release represents a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the Court revoke Bear Cub's supervised release and commit him to the custody of the Bureau of Prisons for 8 months (68.) Judge Johnston

further recommended a lifetime of supervised release to follow, with the first 60 days of supervised release spent in a secure inpatient drug treatment facility and the next 180 days in a residential re-entry center, if he is eligible. (*Id.*)

Accordingly,

IT IS HEREBY ORDERED that Bear Cub's objection is denied. Judge Johnston's Findings and Recommendations, (Doc. 68) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Jittawee Curly Bear Cub be sentenced to the custody of the Bureau of Prisons for 8 months, with a lifetime of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility, such as Connections Corrections, and the next 180 days of supervised release spent in a residential re-entry center, if eligible. This sentence should run concurrent with the sentences imposed in causes CR-05-09-GF-BMM and CR-07-117-GF-BMM.

DATED this 20th day of September, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

